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MAY 20 2002

OFFICE OF PETITIONS

In re Application of :
Tennstedt, et al. :
Application No. 10,015,001 : DECISION GRANTING PETITION
Filed: December 11, 2001 :
Attorney Docket No. 1473/44221 :

This a decision on the petition filed February 19, 2002, requesting that the above-referenced application be accorded a filing date of December 11, 2001, with drawings of Figures 1-11 as part of the original disclosure.

The petition is GRANTED.

The application was filed on December 11, 2001. The Initial Patent Examination Division mailed a "Notice of Incomplete Nonprovisional Application" on January 15, 2002, indicating that the application was deposited without drawings. A two month period for reply was set.

In the instant petition, petitioner maintains that a German priority document was filed on December 11, 2001. A review of the priority document filed December 11, 2001, reveals that it does include five sheets of drawings containing Figures 1-11. Accordingly, on petition, the drawings of Figures 1-11 in the priority document will be construed as the drawings for this application for filing date purposes.

The application file is being forwarded to the Office of Initial Patent Examination for reprocessing with a filing date of December 11, 2001, using the five sheets of drawings containing Figures 1-11 in the German priority document and indication on the bibliographic data sheet that five sheets of drawings were submitted on filing.

Telephone inquiries specific to this matter should be directed to Kenya A. McLaughlin, Petitions Attorney, at (703)305-0010.

Beverly M. Flanagan
Supervisory Petitions Examiner
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Office of the Deputy Commissioner
for Patent Examination Policy